

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In Re: Chapter 11
Colmar Realty LLC, Case No. 11-49728 (JF)

Debtor.

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**ORDER DISMISSING DEBTOR'S CASE WITH PREJUDICE
FOR A PERIOD OF ONE YEAR AND LIMITING
EFFECT OF FUTURE FILING**

A motion dated May 21, 2012 (the "Motion") having been filed by Flushing Bank ("Flushing") seeking entry of an Order dismissing or converting the above-captioned case under 11 U.S.C. § 1112(b); and the Motion having been served on the Debtor, the United States Trustee and all creditors and parties in interest, which notice constitutes due and proper notice of the Motion; and the Debtor having filed opposition to the Motion; and a hearing having been held upon the Motion on June 12, 2012 (the "Hearing") at which Flushing, the Debtor, and the United States Trustee having appeared; and

The Court having heard the arguments of the parties at the Hearing; and based upon all of the proceedings heretofore had herein, and for the reasons stated on the record at the Hearing by the Court, and sufficient cause appearing therefor, it is hereby

ORDERED, that the Debtor's case be, and hereby is, dismissed with prejudice as to the re-filing of a petition for relief for a period of one (1) year from the date of entry of this Order; and it is further

ORDERED, that in the event that a petition under any chapter of the Bankruptcy Code is filed within such one (1) year period which effects the Debtor's property located at 41-17 48th Street, Sunnyside, New York (the "Property"), the filing of such future petition shall not

affect or interfere with Flushing's foreclosure action against the Property, and the automatic stay in any such future case shall not attach to the Property and shall not operate as a stay as to such foreclosure action; and it is further

ORDERED, that within ten (10) days of the entry of this Order, the Debtor shall file an affidavit of disbursements for the period from October 13, 2011 through the entry of this Order and pay all quarterly fees due and owing to the United States Trustee under 28 U.S.C. § 1930(a)(6).

**Dated: Brooklyn, New York
June 27, 2012**




**Jerome Feller
United States Bankruptcy Judge**